

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT HUNTINGTON

TIMBALENA WILBURN,

Plaintiff,

v.

Civil Action No. 3:17-cv-3819

STATE FARM MUTUAL AUTOMOBILE
INSURANCE COMPANY,

Defendant.

ORDER OF VOLUNTARY DISMISSAL

On this day came the plaintiff Timbalena Wilburn, by counsel, Thomas H. Peyton, and the Defendant, State Farm Mutual Automobile Insurance Company, by counsel, Charles S. Piccirillo and Sabrena Olive Gillis, to advise the Court of the plaintiff's stipulation, pursuant to Rule 41(a)(2) of the Federal *Rules of Civil Procedure*, to dismiss, with prejudice, all allegations contained within plaintiff's complaint against defendant State Farm Mutual Automobile Insurance Company. The parties further stipulated that each party shall bear their respective attorney fees and costs with respect to the aforesaid claims.

Upon this stipulation, it is accordingly ADJUDGED, ORDERED and DECREED that:

1. Plaintiff's Complaint in its entirety be and it is, hereby, DISMISSED with prejudice;
2. The parties shall each bear their respective attorney fees and costs with respect to the claims contained within Plaintiff's Complaint; and
3. This matter shall be stricken from the Court's docket.

The Clerk shall, upon entry hereof, shall forward attested copies of this order to:

Charles S. Piccirillo, Esquire
Sabrena Olive Gillis, Esquire
Shaffer & Shaffer, PLLC
2116 Kanawha Boulevard, East
P O Box 3973
Charleston, WV 25339-3973
Counsel for State Farm Mutual Automobile Insurance Company

Thomas H. Peyton, Esquire
Peyton Law Firm, PLLC
2801 First Avenue
P O Box 216
Nitro, WV 25143
Counsel for Plaintiff

ENTERED this 13 day of Sept, 2017.


ROBERT C. CHAMBERS, JUDGE

PREPARED BY:

/s/ Sabrena Olive Gillis
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Sabrena Olive Gillis
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APPROVED BY:

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